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Filing date: **09/09/2015**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91221644
Party	Defendant California Eastern Laboratories, Inc.
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Submission	Motion to Consolidate
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Date	09/09/2015
Attachments	MESHWORKS - Stipulated Motion to Consolidate (Opp. Nos. 91221643 and 91229644).pdf(92158 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Application Serial No. 86/398,074  
Mark: **MESHWORKS**

In the Matter of Application Serial No. 86/398,081  
Mark:



COMPEX, INC.,  Opposer,  v.  CALIFORNIA EASTERN LABORATORIES, INC.,  Applicant.	<b>STIPULATED MOTION TO CONSOLIDATE</b>  Opposition No. 91221644  and  Opposition No. 91221643
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**STIPULATED MOTION TO CONSOLIDATE**

Applicant, California Eastern Laboratories, Inc. ("Applicant"), by and through its attorneys, and Opposer, Compex, Inc. ("Opposer"), by and through its attorneys, hereby request the Board to consolidate the above-referenced opposition proceedings (Opposition Nos. 91221644 and 91221643) pursuant to TBMP. §511 and to Fed. R. Civ. P. 42(a).

Applicant and Opposer are currently parties to Opposition Nos. 91221644 and 91221643 relating to applications for the mark MESHWORKS & MESHWORKS & Design (below).



Consolidation is appropriate because these oppositions involve the same parties and common questions of law and fact; such consolidation will save time, effort, and expense, and

avoid unnecessary duplication of effort; and such consolidation will not prejudice or inconvenience either party. See TBMP §511.

Because both proceedings are currently set according to the same schedule, Applicant and Opposer request that the Board keep the currently scheduled trial dates as follows:

Time to Answer:	Closed
Deadline for Discovery Conference:	Closed
Discovery Opens:	Closed
Initial Disclosures Due:	10/30/2015
Expert Disclosure Due:	02/27/2016
Discovery Closes	03/28/2016
Plaintiff's Pretrial Disclosures:	05/12/2016
Plaintiff's 30-day Trial Period Ends:	06/26/2016
Defendant's Pretrial Disclosures:	07/11/2016
Defendant's 30-day Trial Period Ends:	08/25/2016
Plaintiff's Rebuttal Disclosures:	09/09/2016
Plaintiff's 15-day Rebuttal Period Ends:	10/09/2016

For the foregoing reasons, Applicant and Opposer respectfully request the Board to consolidate the above-referenced proceedings and set the discovery and testimony dates as set forth above.

Dated: September 8, 2015

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

By: 

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Attorneys for Applicant,  
CALIFORNIA EASTERN  
LABORATORIES, INC.

Dated: September 1, 2015

STETINA BRUNDA GARRED & BRUCKER

By: 

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Attorneys for Opposer  
COMPEX, INC.

**CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing STIPULATED MOTION TO CONSOLIDATE was served by First Class Mail on September 9, 2015, on counsel of record for Opposer at the following address:

Bruce B. Brunda  
Stetina Brunda Garred & Brucker  
75 Enterprise, Suite 250  
Aliso Viejo, CA 92656

Dated: September 9, 2015



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Eileen Z. Aghnami